

**In the United States District Court
For the Southern District of Georgia
Waycross Division**

DELWIN BERRY,

Plaintiff,

v.

BRYSON,

Defendant.

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CIVIL ACTION NO.: 5:17-cv-13

ORDER

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's March 9, 2017, Report and Recommendation, dkt. no. 4, to which Plaintiff did not file Objections. Accordingly, the Court **ADOPTS** the Report and Recommendation as the opinion of the Court. The Court **DISMISSES** Plaintiff's Complaint **WITHOUT PREJUDICE, DISMISSES AS MOOT** Plaintiff's Motion to Amend, dkt. no. 3, and **DENIES** Plaintiff leave to appeal *in forma pauperis*. The Court **DIRECTS** the Clerk of Court to enter the appropriate judgment of dismissal and to **CLOSE** this case.

SO ORDERED, this 20 day of April, 2017.

LISA GODBEY WOOD, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA